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Montgomery County weighs setting up a mental health court

By Dan Morse July 22

Responding to an increase in the number of arrestees with acute mental illness, law enforcement leaders in Montgomery County said Wednesday that they are looking to set up a special court geared toward treatment rather than punishment.

Such “mental health courts,” operating in the District, Prince George’s County and elsewhere, are designed for relatively low-level offenders. But for all the pride Montgomery takes in progressive programs, it has never established such a court.

“We should have moved more quickly on this,” said Montgomery State’s Attorney John McCarthy, who has prosecuted cases in the county for 33 years.

In the past three years, the number of people booked at the Montgomery County Detention Center who need immediate mental health services has climbed from 1,011 to 1,626, an increase of 61 percent, officials said. At the same time, the total number of people being booked at the jail has fallen.

McCarthy said the trends are seen nationwide, with local jails too often becoming the default facilities to house people with mental illness.

“This is the largest single issue confronting the criminal justice system today,” said McCarthy, who would like to see a mental health court running by early next year.

In Maryland, there are three jurisdictions with mental health courts: Prince George’s County, Harford County and Baltimore City. For the fiscal year that ended in 2014, 900 people were in these courts.

Chief District Judge John Morrissey, the administrative head of local district courts throughout the state, said setting up the courts is difficult — involving coordination among police, prosecutors, defense attorneys, corrections officials and mental health professionals. But when they’re at their best, the courts help set up treatment and monitoring programs.

They can help offenders lead meaningful lives and guard against someone going off medication, getting very sick and committing more serious or violent crimes.

“If we prevent that, we’re winning,” he said.

In the District, officials have run a mental health court for more than seven years. As of late 2014, more than 1,150 people have successfully gone through the program, according to an article written by D.C. Superior Court Judge Ann O’Regan Keary, published by the American Bar Association.

In Virginia, there are mental health courts in Norfolk, Petersburg and Richmond, according to the federal Substance Abuse and Mental Health Services Administration.

In Montgomery, McCarthy said he started thinking seriously about mental health court several years ago and cited a series of homicide cases overlaid with mental health issues. They included one case in 2011 in the community of Olney in which a man named Rohan Goodlett believed he was getting instructions from his TV to kill or be killed, according to authorities. He killed two people, one of them a neighbor. Goodlett was found legally insane and committed to a psychiatric hospital.

Also, in 2014, two women were accused of stabbing to death two small children who they said had become possessed by demons. One of them has since been ruled to have been legally insane at the time of the slayings. The case against the other woman, the mother of the children, is pending.

“Mental health court isn’t a panacea, but if you save just one life, it’s worth it,” McCarthy said.

To study how best to set up such a court, Montgomery County Circuit Administrative Judge John W. Debelius III is organizing a “Mental Health Court Planning and Implementation Task Force,” to be chaired by former county council member Phil Andrews, who now heads up crime prevention initiatives for McCarthy’s office. The task force probably will be composed of representatives from the defense bar, the judiciary, the mental health field and others.

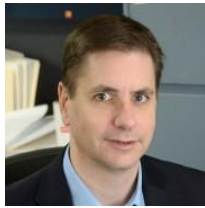
Two other proponents of the court are Montgomery police officer Scott Davis, who heads up the county police department’s program to train patrol officers to respond to mentally ill people in the field, and Robert Green, head of corrections for the county.

They both said they are seeing more people with more acute mental illnesses.

Davis estimates that up to 40 percent of people who police officers are bringing to the county jail have at least some mental health issue.

Green, whose department runs two jails in the county, said one of the keys to any mental health court's success will be to equip people with awareness and treatment they can use well after coming into contact with the officer or a jailer.

"This is a lifelong issue for many of these individuals," he said. "The minute we open our doors, their challenges don't go away."



Dan Morse covers courts and crime in Montgomery County. He arrived at the paper in 2005, after reporting stops at the Wall Street Journal, Baltimore Sun and Montgomery (Ala.) Advertiser, where he was a Pulitzer Prize finalist. He is the author of *The Yoga Store Murder*.